

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	Art Unit: 1644
)	
BERGHE, et al.)	Examiner: HADDAD, M.
)	
Serial No.: 10/528,802)	Washington, D.C.
)	
Filed: March 23, 2005)	June 18, 2007
)	
For: METHODS AND PREPARATIONS)	Docket No.: BERGHE=1
FOR CURING CRITICALLY)	
ILL PATIENTS)	Confirmation No.: 6222

ELECTION WITH TRAVERSE

U.S. Patent and Trademark Office
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Alexandria, VA 22314

S i r :

In response to the restriction requirement mailed May 18, 2007, applicants responds as follows.

1. In response to the group-restriction, applicants elect group II (transplantation) with traverse. We traverse on the ground that group II has a subcombination/combination relationship to group III, and hence, under PCT administrative instructions, Annex B, part 1, para. (c)(i), there is unity if the subcombination (group II) avoids the prior art (the Examiner has not made any comments re Thiel's teachings on transplantation) and the claimed combination includes all limitations of the subcombination (group III is so defined).

2. In response to the species restriction, applicants elect (f) a single specific combination, and more particularly a combination which has a size distribution profile which is substantially identical to the size distribution of MBL in serum. See P17, L31-P18, L1.

If further specificity is required, than applicants elect that it is, in order of increasing specificity, at least 80%

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identical, at least 90% identical, or if need be at least 95% identical. See P18, L1-6.

Should the Examiner deem the above to still be insufficiently specific, applicants elect that the mixture be 100% identical to the size distribution profile of MBL in serum.

All of these elections are made with traverse, on the ground that generic claims are allowable, see MPEP 809.02.

Respectfully submitted,

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